

**City of Fort Lauderdale
Utility Advisory Committee
Tuesday, January 25, 2005 – 6:30 p.m.
100 North Andrews Ave., 8th Floor Conference Room
Ft. Lauderdale, Florida 33301**

<u>Committee Members</u>	Present/ Absent	Attended (cumulative 1/05 to 12/05)	Missed
Bunney Brenneman, Chair	P	1	0
Richard Barrett	P	1	0
David Benjamin	P	1	0
Christine Campbell, Vice-Chair	P	1	0
L. Thomas Chancey	A	0	1
Bob Cole	A	0	1
Margaret Haynie Birch	P	1	0
Bernie Petreccia	P	1	0
Fred Stresau	A	0	1
Claire Vickery	P	1	0
Nathaniel Wilkerson	P	1	0
Andy Ziffer	A	0	1

City Representatives

Bob Dunckel, Assistant City Attorney
Gene Dempsey, City Parks and Recreation
Karl Shallenberger, Staff Liaison
Jamie Opperlee, Recording Secretary

Guests

Kim Webster, City View
Nancy Devanny, City View
Arthur Siegfried, City View
Bruce Toski, Homeowner
Debbie Orshefsky
Lynn Shatas, FPL
Cindy Stoddart, Comcast

I. Call to Order

Chair Bunney Brenneman called the meeting to order at 6:43 p.m.

II. Roll Call

Ms. Opperlee then took roll call.

III. Self Introductions

Chair Brenneman introduced new Board member Bernie Petreccia. Mr. Petreccia remarked that he had come to Fort Lauderdale from Canada twenty-five years ago and he also currently served on the Aviation Advisory Board.

Chair Brenneman then welcomed Assistant City Attorney Bob Dunckel to the meeting. Mr. Dunckel explained that he had worked for the City for sixteen years, handling land-use and real estate matters.

Board members, city representatives, and guests introduced themselves in turn.

IV. Approve Minutes of November 23, 2004 Meeting

Dr. Benjamin noted that Jennifer Skizlak's last name was now Szaro.

Motion made by Dr. Benjamin, seconded by Mr. Barrett, to approve the minutes of the November 23, 2004 meeting. In a voice vote the motion passed unanimously.

V. New Business (One Item Only) Comcast Channel Realignment

**Cindy Stoddart, Director
Government/Community
Relations, Comcast**

Ms. Stoddart stated that Comcast had taken over the local cable market in Fort Lauderdale in 1996 and was now the largest cable provider in the United States. When they had taken over South Florida, they needed to integrate six separate systems. They spent \$143 million to bring every subscriber up to the same level of service.

Ms. Stoddart pointed out the improvements and changes Comcast had made to provide this consistent service. The channel realignment had been an effort to bring a consistent, logical channel structure based on genre to the entire South Florida area. She also noted that schools now had free cable and high-speed Internet access courtesy of Comcast.

Mr. Barrett asked about the differences between "standard" and "digital" access. Ms. Stoddart informed him that it was much more difficult to control cable theft in analog service, so most of the "premium" services had been moved to the digital level to better protect them. Ms. Stoddart admitted that pricing for the premium services was sometimes confusingly quoted and could lead one to think it was actually cheaper than analog service.

Ms. Stoddart informed Ms. Haynie-Birch that the conversion in Fort Lauderdale was complete; there were just a few cities from the Jones Cable System yet to be converted.

Ms. Vickery stated that when her service was converted, she had lost a few of her old channels and been given access to some new ones. When she phoned Comcast for an explanation of the channel availability differences, the customer service representative had given her information that conflicted with what a local employee had told her.

Mr. Bruce Toski asked why Broadband rates were so high in this country and competition was absent. Ms. Stoddart felt it was difficult to compare services here to services in other countries and informed him that Comcast's lowest rate for Broadband service was around \$45 per month.

Ms. Stoddart said Comcast would have the option in the future to store government access programs and broadcast them on demand.

Ms. Vickery wondered if there couldn't be some sort of 'legacy' pricing or other special offers for long-standing customers. Ms. Stoddart informed her that long-standing customers would get special offers in the future but no price breaks now.

VI. Old Business

Update on Energy Roundtable on Renewable Energy & Energy Conservation

Dr. David Benjamin

Dr. Benjamin announced that he now had biographies for most of the attendees. He had given this information to Mr. Shallenberger, who would contact participants to obtain their permission to publish their information in advance of the Energy Roundtable.

The list of attendees was as follows:

- Colleen Kettles - an attorney and an expert in Florida energy law
- Rand Eckhart – a building contractor who utilized renewable energy building techniques
- Richard Weisskoff – an economist at the University of Miami who understands energy economics
- Tony Rosa – in charge of the Broward County Energy Efficiency Program
- Robert Farmer – an expert in conventional energy and energy policy
- Jennifer Szaro – expert in renewable and solar energy, worked at the Florida Solar Energy Center
- Roger Duncan – Deputy General Manager of Austin Energy from Austin Texas, the foremost authority on city incentive programs for renewable & efficient buildings
- Dr. Benjamin confirmed with Ms. Shatas that FPL would send a representative as well

Chair Brenneman reported that she had learned that Public Information Office Director, David Hebert, anticipated Lourdes Rodriguez-Barrera's departure from his office. The PIO would continue their efforts to promote the Energy Roundtable.

Chair Brenneman announced that Mr. Chancey had confirmed that his billboard would be used to advertise the event.

Update on Energy Roundtable Arrangements **Karl Shallenberger**

Mr. Shallenberger stated he would make arrangements for audio/visual equipment and hotel reservations for attendees. He confirmed that Ms. Rodriguez-Barrera was leaving but promised that the article about the Energy Roundtable would be published in Focus Magazine.

Chair Brenneman wanted to be sure arrangements were made for audio equipment in the auditorium to record the event per the request of Lisa Edmondson. Mr. Barrett wondered if it would be possible to broadcast the event locally.

Mr. Barrett asked Mr. Dunckel if some energy efficiency measures, methods, and products could be required by code. Mr. Dunckel was interested to hear what Mr. Duncan could tell them about incentives in Austin. Mr. Barrett noted that this was not the only community in the state or country with these concerns and problems.

Chair Brenneman announced that registration and refreshments would start at 6:00 p.m.; the Roundtable would begin at 7:00 p.m.

Proposed Sistrunk Substation Landscaping Update **FPL**

Mr. Stresau had updated plans for the Sistrunk Substation landscaping, which were distributed among board members. The last sheet was the drawing that the UAC had already approved in concept. Mr. Bruce Barber from the FPL design team had worked with Mr. Stresau on the street's east side.

Ms. Haynie-Birch questioned the planting of the Sabal Palms - she thought Mr. Stresau had advised them against this. Ms. Campbell stated that this was not the ideal "right tree – right place" planting scheme but, in this instance, it was acceptable because the palms could be replanted in twenty-five years. Ms. Shatas noted that this might upset people in the future and other species should be considered for planting there now.

Mr. Barrett thought that the bricks on the east side were going to be replaced with greenery and the sidewalks would be moved a bit to the east. Mr. Dempsey told him there was really no room to move the sidewalk. Mr. Barrett thought perhaps the green space could be moved to the other side of the power pole. Mr. Dempsey spoke with Mr. Barrett and Ms. Vickery about the possible configurations of green space and sidewalk. Ms. Shatas agreed to set up a meeting among Bruce Barber, Fred Stresau, and Gene Dempsey to discuss options.

Ms. Vickery noted that the CRA and the CRA Advisory Board had struggled for years with the Sistrunk plan; the current plan had been created specifically for improving the greenery. She was surprised and concerned that there had not been a relationship between the two boards. She asked Mr. Shallenberger to contact the CRA staff and encourage them to attend a UAC meeting and coordinate with FPL and the UAC.

Ms. Vickery pointed out that the CRA project concerned ingress and egress improvements to and from the downtown area and future improvements in the right of way. Private property projects were coming through the CRA as well. The Sistrunk improvement alone had some major utility and tree issues.

Ms. Haynie-Birch felt it incumbent upon the UAC to look at the plan the CRA had for Sistrunk for egress and light pole issues. She was interested to know where they stood with the County on these issues. She wondered if Sistrunk would be two-lane and whether it would be utilized for east-west travel through the City.

Chair Brenneman suggested the Committee wait until Ms. Shatas could report back with the results of her meeting before voting on a plan. Ms. Shatas felt they should get the CRA to make a presentation to the UAC as well.

Motion made by Ms. Vickery, seconded by Mr. Wilkerson, to have the CRA present the existing CRA plan to the UAC so they could help coordinate the project with FPL. In a voice vote the motion passed unanimously.

Mr. Petreccia asked what the urgency was for this project. Dr. Benjamin stated that the urgency couldn't be evaluated because these issues should have been resolved years ago. The City had already been sued for ADA compliance. Mr. Petreccia felt they should keep watch on the surrounding, larger Sistrunk area. Chair Brenneman asked Mr. Shallenberger to invite a representative from the CRA to come to a UAC meeting.

Mr. Barrett pointed out that improvements taking place on Davie Boulevard between I-95 and 441 were the same sort of improvements taking place on Sistrunk. He thought perhaps the UAC should coordinate with that project and offer advice on these issues.

Other Old Business -- None

VII. New Business

Report and Discussion on Line Clearing

FPL

Chair Brenneman announced that the UAC Tree Subcommittee had worked with Mr. Dempsey and received a \$10,000 grant to create a display, educational brochures and other materials about proper tree placement.

Mr. Dempsey explained the grant program and how the money was to be used and noted that there was a 50/50 matching grant available from the tree canopy trust. There was a September 30, 2005 spending deadline for the grant. The display materials could be set up at City Hall or the Public Library, or taken to homeowner association meetings and other venues.

Ms. Shatas stated that there was no schedule set yet for trimming of trees in areas served by power lines originating out of the Sistrunk Substation, but she would notify the UAC prior to scheduling it. FPL was working with environmental consultants, ACRT, continuing to assess storm damage on the system. Employees of Southeast Woodland Services were patrolling neighborhoods in white trucks checking for and addressing vine damage. Chair Brenneman suggested that announcements about line maintenance be made on the City's website and on Channel 78. She volunteered to speak with PIO Director, David Hebert, to see if this information could be included in the civic packets sent to homeowners associations for inclusion in their newsletters.

Mr. Wilkerson noted that there were lots of seniors in his neighborhood and asked Ms. Shatas to send FPL representatives to homeowner association meetings prior to performing work in that area.

Discussion on Power Poles, Rights-of-Way, & Sidewalks

Chair Brenneman announced that a member of the public wanted to address the Board and FPL regarding the loss of power during minor storms.

Mr. Bruce Toski, homeowner, stated that power lines were often knocked out during storms because homeowners did not maintain their trees. He spoke to various members of City government and municipal employees about the need for action, but no one was willing to "step up to the plate" and advocate a law to punish those who did not properly maintain their trees.

Mr. Barrett told Mr. Toski that the UAC met with licensed arborists on this issue and noted that FPL had the same problem. When homeowners did not maintain their trees near power lines, FPL was forced to do it. Mr. Barrett asked Mr. Dunckel if creating an ordinance was a viable idea. Mr. Dunckel wondered if there were any PSC regulations that would allow the cost of tree maintenance to be charged to the property owner. Ms. Shatas suggested that Mr. Dunckel speak to Pam Rauch in FPL's Juno Beach office about this.

Ms. Haynie-Birch asked Mr. Dunckel if he would attend a Code Advisory Board meeting if and when she could get this issue on their agenda. Mr. Dunckel advised her to work through the PSC first on this issue.

Regarding pole placement, Chair Brenneman felt something should be done to ensure that, for future projects, poles were always located out of the sidewalk area. Mr. Barrett felt this was something for which hard and fast rules could not really be made; there were often too many variables. Dr. Benjamin noted that they didn't make rules, but advised the City Commission as to how the community wanted these issues to be handled.

Mr. Petreccia asked if pole placement was included in plans submitted to the City for all new projects and Ms. Shatas confirmed that it was. Mr. Petreccia brought up the subject of anchor wires for power poles; he felt these were a real safety hazard. Ms. Shatas informed him that this was a trade off – if a smaller pole was used, it must have anchor wires to stabilize it. She mentioned the pole installed by the new fire station as an example of a pole that was huge because no anchor wires were desired at this location.

Mr. Petreccia felt that the permit process was the mechanism that could be used to control pole placement. Dr. Benjamin noted that despite local codes and ADA laws, poles were still sometimes located in the middle of sidewalks. Mr. Shallenberger noted that there was rarely a reason to deny a permit; if safety and ADA regulations were met, a permit would be issued.

Board members considered how bad pole placement could be avoided in the future. Chair Brenneman wanted to explore alternatives to requiring poles to be located in the City right-of-way; Ms. Vickery pointed out that allowing poles to be located out of the City right-of-way would require coordination of easements with private property owners.

Mr. Dunckel suggested they talk to the people in the City who granted permits for the poles and see if the permit process could be adjusted to get better results.

Ms. Campbell felt that lack of coordination was one issue. The other issue was prevention of this problem in future development. She felt that at some point, undergrounding would become the only option for utilities.

***Motion** made by Dr. Benjamin, seconded by Mr. Petreccia, to invite City building permit administrators to a UAC meeting to advise them about how the permit process addressed this issue. In a voice vote the motion passed unanimously.*

Mr. Barrett thought that one of the problems was that installation crews were making placement decisions in the field. Mr. Petreccia wanted a telephone company representative to attend a UAC meeting as well; Ms. Vickery felt all utility entities should attend. Mr. Shallenberger felt the Board needed to fully understand the permitting process first and should, therefore, meet with City administrators first, then meet with the utility representatives. Mr. Shallenberger confirmed that he

Utility Advisory Committee
Regular Meeting
January 25, 2005
Page 8 of 8

would arrange for the CRA staff to attend the February UAC meeting and City permitting staff to attend the April UAC meeting.

Other New Business – None

VIII. Good of the Committee

IX. Next Meeting - February 22, 2005

Energy Roundtable: Renewable Energy & Energy Conservation – March 22, 2005

X. Adjourn

Thereupon, the meeting adjourned at 9:25 p.m.

Handouts:

1. Letter from Mr. Bruce Toski to the UAC regarding homeowners' responsibility for maintaining their trees near power lines.
2. Landscape Plan from Stresau, Smith and Stresau for the Sistrunk Substation.
3. Comcast information packet distributed by Ms. Stoddart.